

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK**

PEDRO MARTINEZ, individually and as the  
representative of a class of similarly situated persons,

Plaintiff,

– against –

THE COCA-COLA COMPANY d/b/a Costa  
Coffee,

Defendant.

**ECF Case**

**1:23-cv-8221-VMS**

**STIPULATION OF DISMISSAL  
WITH PREJUDICE**

**IT IS HEREBY STIPULATED AND AGREED**, by and between the undersigned counsel for the parties, plaintiff Pedro Martinez and defendant The Coca-Cola Company (collectively, the “Parties”), that, pursuant to Rule 41(a)(1)(A)(ii) of the Federal Rules of Civil Procedure, all of the claims that were asserted or that could have been asserted in the above-captioned action are hereby dismissed with prejudice and without costs to any Party as against the other.

**IT IS HEREBY FURTHER STIPULATED AND AGREED** that counsel for the Parties have been authorized by their respective clients to execute this Stipulation.

**IT IS HEREBY FURTHER STIPULATED AND AGREED** that no Party hereto is an infant or incompetent person for whom a committee or conservator has been appointed.

**IT IS HEREBY FURTHER STIPULATED AND AGREED** that facsimile/photocopy signatures may be accepted as originals for all purposes, including filing with the Court.

**IT IS HEREBY FURTHER STIPULATED AND AGREED** that this Stipulation may

be filed, without further notice, with the Clerk of the Court by any Party herein.

Dated: Brooklyn, New York  
February 13, 2024

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*Attorneys for Defendant*

SO ORDERED: \_\_\_\_\_